

Docket: A-1670 #6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of:
Hassan et al.

\ Group Art Unit: 3745

Serial No: 09/226,418

Filed: 1/6/1999

\ Examiner: C. Verdier

For: GUST ALLEVIATION/FLUTTER
SUPPRESSION DEVICE

OCT 22 2002

Commissioner for Patents
Washington, D.C. 20231
Attention: Office of Petitions**CERTIFICATE OF FACSIMILE TRANSMITTAL**

I hereby certify that this correspondence is being facsimile transmitted to facsimile telephone number 703-308-6916 on Tuesday, October 22, 2002

Date:

Signed:

Donald E. Stout, Reg. No. 34,493

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED10/29/2002 AKELLEY 00000010 135135 09226418
01 FC:1453 1280.00 CH**APPLICATION UNDER 37 C.F.R. 1.137(b)**

Sir:

The above identified application became abandoned for failure to file a timely and proper reply to the Office action mailed on July 19, 2000, which set a three month shortened statutory period for response. A Notice of Abandonment was mailed to prior counsel for Applicants on February 22, 2001.

Applicants hereby petition for revival of this application. Please charge the petition fee of \$1,280 under 37 CFR 1.17(m), and any other necessary fees, to Deposit Account No. 13-5135.

A reply to the outstanding Office Action accompanies this petition, together with a Power of Attorney and Change of Correspondence Address.

The entire delay in Applicants' response to the Notice of Abandonment, from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b), was unintentional. Briefly, prior in-house counsel for the assignee instructed the prior attorney of record to transfer the subject application to the undersigned for continued prosecution thereof. A series of coincidental circumstances, including the

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departure of the assignee's prior in-house counsel, and consequent difficulty in obtaining the transferred file and executed Power of Attorney, caused our office to fail to timely docket the office action for response. Later, when prior counsel notified the undersigned of receipt of the Notice of Abandonment, mailed on February 22, 2001, it was not timely matched to the file, since the file was not yet properly docketed into our system. Subsequently, in May 2001, the undersigned's assistant became seriously ill, and her long absence from the office prevented our earlier discovery of the oversight.

Respectfully submitted,



Donald E. Stout

Attorney for Applicant; Reg. No. 34,493

October 22, 2002
4 Venture, Suite 300
Irvine, CA 92618
Telephone (949) 450-1750
Facsimile (949) 450-1764

FRANK J. UXA, JR.*
ROBERT D. BUYAN*
DONALD E. STOUT
KENTON R. MULLINS
JO ANNE M. YBAGEN
KETAN S. VAKIL
LINDA ALLYSON FOX
KYLE D. YESLAND, Ph.D.
GREG S. HOLLRIGEL, Ph.D.**
LOUISE S. HEDM**

LAW OFFICES OF
STOUT, UXA, BUYAN & MULLINS, LLP

4 VENTURE, SUITE 300
IRVINE, CALIFORNIA 92618
(949) 450-1750
FACSIMILE: (949) 450-1764

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DATE: 10/22/2002
TO: Office of Petitions
FAX: 703-308-6916
FROM: Don Stout
RE: SN 09/226, 418

OCT 22 2002

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- 1) Petition for Revival (2 pages)
- 2) Power of Attorney (1 page)
- 3) Change of Correspondence Address (1 page)
- 4) Amendment (8 pages)